



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
401 COURTHOUSE SQUARE
ALEXANDRIA, VIRGINIA 22314

MARK S. DAVIS
CHIEF JUDGE

FERNANDO GALINDO
CLERK OF COURT

PROSPECTIVE JUROR NAME
ADDRESS

Participant #

Dear Citizen:

You have been selected as a potential juror in the federal case of *United States v. Lofaro*. The indictment in this case charges the defendant with one count of distribution of child pornography, one count of receipt of child pornography, and one count of possession of child pornography. The defendant has denied these charges and has pleaded not guilty. The defendant is presumed innocent and the United States carries the burden of proving guilt beyond a reasonable doubt at trial.

Jury selection will occur on Monday, March 11, 2024, with the trial to follow. The Court and the parties hope to complete trial in this matter by Wednesday, March 13, 2024. If you are selected as a juror, you will be required to report to the courthouse each day as directed by the Court.

Before the case can begin, a jury must be selected. The trial judge and the parties involved in the case need to know information about you, so the selection process can be fair to both sides and completed in an efficient manner to reduce the time that you will spend at the courthouse. The questions set forth in this form are designed to help the Court and the parties learn about your background and views on issues that may be related to this case. The questions are asked not to invade your privacy, but to make sure that you can be a fair and impartial juror. Your answers will be kept confidential by order of the Court.

Please answer each question as completely and accurately as you can. Your complete written answers will save a great deal of time for the Court, the parties and you. There are no right

or wrong answers to the questions. You must answer each question truthfully to the best of your ability. To ensure that your answers are not influenced by the opinions of others, you should fill out the questionnaire by yourself without consulting or talking with any other person. PLEASE PRINT ALL ANSWERS.

If you cannot answer a question because you do not understand it, write “Do Not Understand” in the space after the question. If you cannot answer a question because you do not know the answer, write “Do Not Know” in the space after the question. If there is anything you do not want to talk about in open court, please answer the question in full and then write “Private” next to your answer. If any further questioning is required, the judge and the attorneys will question you in private, away from other members of the jury panel and the public. Additional space is included at the end of the questionnaire if you need to expand an answer beyond the given space. Be sure to indicate on the blank page the number of the question you are answering.

Once you have completed the questionnaire, please return it by mail in the enclosed addressed, stamped envelope NO LATER THAN February 16, 2024.

You must return this questionnaire, regardless of your answers or whether you believe that you cannot serve as a juror in this case.

Now that you are a prospective juror, you must abide by the following instructions until you are excused from service in this case:

- 1) DO NOT research or read anything whatsoever about the individuals and entities identified in this questionnaire or anything else relating in any way to this case, whether it is in a newspaper, magazine, book, internet website, or anywhere else.
- 2) DO NOT listen to any news reports or other television or radio broadcast, or anything else relating in any way to the individuals and entities identified in this questionnaire or anything else relating in any way to this case.
- 3) DO NOT at any time discuss this case with anyone else.
- 4) DO NOT let anyone talk to you about your views on any aspect of this case.
- 5) DO NOT post to social media about any aspect of your jury service, this questionnaire or the parties or entities identified in this case.

BACKGROUND INFORMATION

1. First and last name: _____
2. Gender (circle one): Male Female
3. Age: _____
4. Place of Birth (city/state): _____
5. County of Residence: _____
6. Marital Status: _____
7. Do you own or rent your place of residence? _____
8. What is the last grade of school, including college or graduate school, that you finished?

9. State your occupation and provide the name of your employer. If retired, state your principal occupation when employed.

10. If applicable, list the name of your spouse/life partner and identify the person's occupation. If retired or unemployed, state that person's principal occupation when employed.

11. Do you have any children/stepchildren? If yes, please state the number of children and their respective ages. As to any child over the age of 18, identify their occupation.

12. Have you ever served on a jury? _____ YES _____ NO

If yes, please answer the following questions:

- a. In which court did you serve as a juror: _____ Federal _____ State
- b. Was it a grand jury, civil or criminal case? _____
- c. Where and when (i.e., the year) did your service take place?

- d. Did the jury reach a verdict? (do not reveal the verdict) _____ YES _____ NO
- e. Is there anything about your prior jury experience that would keep you from giving a fair trial to the parties in this case? _____ YES _____ NO

13. Have you ever received legal training of any kind? _____ YES _____ NO

If yes, what was that training?

14. Is there any reason why you could not serve on a jury from March 11, 2024 to March 13, 2024? In answering this question, please remember that serving on a jury constitutes one of the most important duties that citizens have.

_____ YES _____ NO

If yes, please explain.

15. Are you willing to notify the Court immediately if, during trial, you feel ill OR are exposed to anyone feeling ill? _____YES _____NO

If no, please explain.

LAW ENFORCEMENT/CIVIL UNREST QUESTIONS

Our state and nation have recently experienced civil unrest relating to social justice/law enforcement issues. This section of the questionnaire will ask questions regarding any effect that this unrest or your general attitudes about law enforcement may have on your ability to serve as a juror.

16. Is there anything about this civil unrest that would make it difficult for you to be a fair and impartial juror in this case? _____YES _____NO

If yes, please explain.

17. Do you or any member of your family work in law enforcement, including as a federal agent? _____YES _____NO

- a. If yes, what agency and in what capacity?

- b. Has that employment left you with a negative, positive, or neutral impression of law enforcement? Please explain.

18. Have you, a family member, or close friend ever had any contact with law enforcement officials that has caused you to form strong opinions, either positive or negative, regarding law enforcement? ____YES____NO

If yes, please explain.

19. Have you, any of your relatives, or any of your close friends had any positive or negative contact with law enforcement? ____YES____NO

If yes, please explain.

20. Have you or anyone close to you been arrested by a law enforcement official?

____YES____NO

21. Do you belong to any organization that is focused on matters relating to law enforcement or criminal justice policy?

____YES____NO

If yes, please identify the organization(s) and your role(s) (e.g., member, president, vice president).

22. Have you or anyone close to you been a party to a lawsuit involving any law enforcement agency? ____YES ____NO

If yes, please explain.

23. Do you have any beliefs about law enforcement generally that would prevent you from being fair and impartial in this case? ____YES ____NO

If yes, please explain.

24. Would you give greater or lesser weight to the testimony of a law enforcement officer based solely on the fact that they are employed as a law enforcement officer?

____YES ____NO

If yes, please explain.

25. Have you, or your family members or close friends, been falsely accused of a crime?

____YES ____NO

If yes, please explain.

26. To the best of your knowledge, have you, a family member, or a close friend ever been formally accused of criminal conduct, been the subject of a criminal investigation, or been convicted of a crime?

____ YES ____ NO

If yes, please explain.

27. Have you, a family member, or close friend ever been involved in a criminal case, whether as a victim, witness or a defendant? It makes no difference, in answering this question, whether the case went to trial or, if so, what the result was. You need not disclose parking tickets, traffic citations, or violations of hunting or fishing laws.

____ YES ____ NO

If yes, please explain who was involved, the role of the individual, and the nature of the charge(s).

GENERAL

28. A defendant is presumed innocent and the United States bears the burden of proving the defendant's guilt beyond a reasonable doubt. Do you anticipate having difficulty applying the beyond-a-reasonable-doubt standard?

____ YES ____ NO

If yes, please explain.

29. Do you believe that just because the defendant has been charged with a crime by the Government, that he must be guilty of something? ____ YES ____ NO

If yes, please explain.

30. A defendant has an absolute right not to testify and the decision not to testify cannot be considered when deciding whether the United States has met its burden. Do you anticipate having difficulty disregarding a defendant's decision not to testify?

____ YES ____ NO

If yes, please explain.

31. A defendant also has no obligation to present any evidence. Do you have any concern that you might hold it against the defendant if he does not offer any evidence on his behalf?

____ YES ____ NO

If yes, please explain.

32. Do you understand that the burden rests with the Government to prove each and every element of the charge alleged in the indictment beyond a reasonable doubt?

____ YES ____ NO

33. Do you understand and accept that the defendant is presumed innocent despite the fact that he has been accused in an indictment? _____ YES _____ NO

34. Do you have any concern that you might hold the fact that the defendant has been indicted in this case against him? _____ YES _____ NO

If yes, please explain.

35. Do you know of any reason why you may be prejudiced for or against the Government, for or against any witness, or for or against the defendant, because of the nature of the charges or otherwise? _____ YES _____ NO

If yes, please explain.

36. Do you have any opinions or feelings about the criminal justice system, such as judges, prosecutors, defense lawyers, and law enforcement officials, that would make it difficult for you to be a fair and impartial juror in this case? _____ YES _____ NO

If yes, please explain.

37. Do you, any members of your family, or any of your close friends belong to any group that advocates for a change in our criminal justice system? _____ YES _____ NO

If yes, please explain.

38. Under our criminal justice system, the facts are to be determined by the jury and the law is to be determined by the Court. These two responsibilities are separate and distinct. Thus, when the Court instructs you on the law during and at the end of the trial, you are required to accept the law as the Court states it even though you might not agree with it personally. Is there any reason that you would be unwilling or unable to apply the law as given to you by the Court? ____ YES ____ NO

If yes, please explain.

39. Do you have any medical condition such as hearing or vision loss or any mental health condition that would make it too difficult for you to sit and hear all of the evidence and render a fair and impartial verdict based on the law and the evidence?

____ YES ____ NO

If yes, please explain.

40. Are you, or do you anticipate, taking any medication that could affect your ability to concentrate in any way? ____ YES ____ NO

If yes, please explain.

41. Is there any religious, moral, ethical or other reason why you would be unable to render judgment in this case? ____ YES ____ NO

If yes, please explain.

42. Do you have any difficulty understanding English or seeing or hearing things in the courtroom that could impair your ability to devote your full attention this trial?

____YES ____NO

If yes, please explain.

43. Do you have any difficulty reading the English language such that it would impair your ability to read documents submitted as evidence?

____YES ____NO

If yes, please explain.

44. Do you know of any other reasons why you would be unable to sit on this jury?

____YES ____NO

If yes, please explain.

45. Do you have any other reason why you cannot sit impartially in this case?

____YES ____NO

If yes, please explain.

46. Would serving on this jury impose an undue financial, business, family or medical difficulty? _____YES _____NO

If yes, please explain.

47. Do you have a special disability or problem that would make serving as a juror difficult or impossible? _____YES _____NO

If yes, please explain.

ADDITIONAL COMMENTS

Please use this area for additional explanation for any of your responses above. When providing the additional explanation, please initially note the question number that you are addressing.

AFFIRMATION

I hereby declare under the penalty of perjury that the answers that I provided in this questionnaire are all true and correct to the best of my knowledge, information and belief.

Signature: _____

Date: _____

Participant # _____